

Emergency Drought Action



State of Washington Application for a Drought Permit

Please follow the attached instructions to avoid unnecessary delays.



For Ecology Use

Fee Paid 10⁰⁰

Date 3/31/05

CK# 1086 FM

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name John A. & Carol A. Jaksch Home Tel : (509) 582 - 3307
Mailing Address 2500 South Vancouver Work Tel : (509) 582 - 7619
City: Kennewick State WA Zip+4 99337 + 3647 FAX: (509) 582-7619

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

☐ Same as above

Name John A. Jaksch Home Tel: (509) 582 - 3307
Mailing Address 2500 S. Vancouver Work Tel: (509) 582 - 7619
City Kennewick State WA Zip+4 99337 + 3647 FAX: (509) 582 - 7619
Relationship to applicant Owner of Three Jays Orchard, LLC

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 150* (☒ gallons per minute or ☐ cubic feet per second) from a ☐ surface water source or ☒ ground water source (check only one) for the purpose(s) of supplemental irrigation of a commercial orchard during times of drought. ATTACH A "LEGAL" DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient. SE1/4, SW1/4, S. 11, T.8N, R. 29E, WM.

Estimate a maximum annual quantity to be used in acre-feet per year: 18.5 acre-feet per year**.

☐ Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:

From / / to / /

*This is the optimal GPM required because of the configuration of the existing, under tree, fixed sprinkler system. Anything less would require revamping parts of the system, which would be expensive. Second, using this GPM rate means that each irrigation cycle would be completed sooner, thus saving electric power.

**This number is based on KID's allocation of 42 inches of water per acre for the irrigation season – April 1 thru October 15.

Section 4. WATER SOURCE

| IF SURFACE WATER | | IF GROUNDWATER | | | | | | |
|---|------|--|----------|------------|--------|---|-------|-------------|
| Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.: | | A permit is desired for <u>one</u> well(s). | | | | | | |
| Number of diversions: <u> </u> | | | | | | | | |
| Source flows into (name of body of water): | | Size & depth of well(s): <u>8 inch casing, 300 to 400 feet deep.</u> | | | | | | |
| LOCATION | | | | | | | | |
| Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner: <u>The nearest section corner is the southwest corner of Section 11, Township 8N, Range 29E, WM, which is located at the intersection of Ely and West 27 Ave in Kennewick. From that corner, the well location would be approximately 860 feet north and 2140 feet east. A more specific map is attached showing the longitude and latitude of the proposed well location. Also, see Section 10 for more specific legal descriptions of the proposed place of use.</u> | | | | | | | | |
| ¼ of | ¼ of | Section | Township | Range(E/W) | County | If location of source is platted, complete below: | | |
| | | | | | | Lot | Block | Subdivision |

64-34985

| | | | | | | | | |
|--------|--------|----|----|---------|--------|--|--|--|
| SE 1/4 | SW 1/4 | 11 | 8N | 29E, WM | Benton | | | |
| | | | | | | | | |

For Ecology Use Date Received: MARCH 31, 2005 Priority Date: MARCH 31, 2005 BENTON

SEPA: ☒ Exempt / Not Exempt FERC License # _____ Dept. Of Health # _____

Date Accepted As Complete 02/31/05 By CS Date Returned _____ By _____ WRIA: 31

Appl. No.: 64-34985

Section 5. GENERAL WATER SYSTEM INFORMATION

A. Name of system, if named:

Supplemental drought irrigation well for Three Jays Orchard, LLC – a commercial cherry orchard.

B. Briefly describe your proposed water system. (See instructions.)

The well will be located within lands served by the Kennewick Irrigation District (KID) a junior water right district expected to receive approximately one-third of its normal allocation in the forthcoming drought year of 2005. The allocation could drop as low as 14 percent given the current low snow pack (Tri-City Herald, March 30, 2005, p. A-2). KID has indicated they will severely curtail water delivery this summer, which means not make enough water available in sufficient quantity or time to enable irrigation of the orchard. Not having water available during the hottest part of the summer would cause severe damage or loss of trees in the established orchard unless supplemental irrigation water from groundwater is received. It takes seven years from time of planting to bring a cherry tree to an economic production level.

The proposed plan is to drill one well of approximately 300 to 400 feet as an emergency irrigation well for use in times of declared drought. The well casing will be eight inches. The water withdrawn from the well will be used to irrigate approximately 4.5 acres of cherry trees. A 20-horse power pump well will be used to withdraw the water at a rate of approximately 150 gallons per minute. The water from the well will be connected to an existing, under tree, fixed irrigation sprinkler system.

The proposed well will be used for supplemental irrigation as required, during 2005, through the traditional irrigation season (April 1 to October 15) and most likely during the summer months when water in the KID system is expected to be severely curtailed (as described above).

The applicant has evaluated the option of purchasing water from landowners who would be willing to give up their right to irrigate out of the KID system during the 2005 drought. However, given the distribution system on KID's Highlift Canal (from which the applicant draws his irrigation water); the applicant cannot be guaranteed that he would receive purchased water.

The proposed place of use is within the Kennewick city limits, having been annexed into the city in 1995. The residences surrounding the proposed place of use are on city water for domestic use and KID water for irrigation.

General conservation measures have been undertaken by the applicant to conserve water.

- The applicant has installed soil moisture meters throughout the orchard at 12 and 24 inches. These sensors are used to determine the optimal timing of irrigation cycles.
- The applicant has installed a fixed, under-tree sprinkler irrigation system.

C. Do you already have any water rights or claims associated with this property or system?
PROVIDE DOCUMENTATION.

☐ YES ☒ NO

As described in Section B above, the property is located within the Kennewick Irrigation District, a junior water right district receiving its waters from the Yakima River system.

Section 6. DOMESTIC / PUBLIC WATER SUPPLY SYSTEM INFORMATION (Completed for all domestic/public supply uses.)

- A. Number of "connections" requested: _____ Type of connection _____ (Homes, Apartment, Recreational, etc.)
- B. Are you within the area of an approved water system? ☐ YES ☐ NO
If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by your County Health Department.

Complete C. and D. only if the proposed water system will have fifteen or more connections.

- C. Do you have a current water system plan approved by the Washington State Department of Health? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.

- D. Do you have an approved conservation plan? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION (Complete for all irrigation and agriculture uses.)

- A. Total number of acres to be irrigated: 4.5
- B. List total number of acres for other specified agricultural uses:
- | | |
|--|------------------|
| Use <u>irrigation of an established cherry orchard</u> | Acres <u>4.5</u> |
| Use _____ | Acres _____ |
| Use _____ | Acres _____ |
- C. Total number of acres to be covered by this application: 4.85 total, 4.5 acres irrigated by proposed well.
- D. Family Farm Act (Initiative Measure Number 59, November 3, 1977, as amended by Chapter 237, Laws of 2001)
Add up the acreage in which you have a controlling interest, including only:
- ‡ Acreage irrigated under water rights acquired after December 8, 1977;
 - ‡ Acreage proposed to be irrigated under this application – 4.5;
 - ‡ Acreage proposed to be irrigated under other pending application(s).
1. Is the combined acreage greater than 6000 acres? ☐ YES ☒ NO
2. Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☒ NO
If yes, enter permit no: _____
- E. Farm uses:
- Stockwater - Total # of animals _____ Animal type _____ (If dairy cattle, see below)
- Dairy - # Milking _____ # Non-milking _____

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water? ☐ YES ☒ NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site. From the Department of Ecology's Yakima office, proceed southeast on I-82 to the Richland – Kennewick cutoff. Continue on I-82 as if heading to Umatilla, Oregon. Take the second Kennewick exit (U.S. 395). Go to the first stop light, which is the intersection of U.S. 395 and 27th Street. Take a right on 27th and follow it for about a mile. At the intersection of 27th Street and Vancouver Street, there is a roundabout. Enter the roundabout, go around and take Vancouver Street heading north. Cross over the KID irrigation canal. The orchard is on the left hand side (west side) of the road and a white vinyl fence fronts the orchard. Look for a gravel driveway, which leads to the residence.

Section 10. REQUIRED MAP

- A. Attach a map of the project. (See instructions.)

Two maps are attached. One (Exhibit 1) showing the general vicinity around the well, the proposed location of the well and its latitude and longitude location. The second (Exhibit 2) showing the place of use more specifically outlined in yellow and the general area.

Full legal and other required descriptions are as follows:

- The location of the proposed well from the nearest section corner at the intersection of Ely Street and West 27th Avenue is approximately 860 feet north and 2140 feet east.
- The well location is the SE1/4, SW1/4, S. 11, 8N, R. 29EM or approximately Latitude N46° 11.9" and Longitude W119° 9.01" in Benton, County, Washington.
- The specific legal description of the property to be irrigated is Short Plat #1412, Lot 2 together with Short Plat 205 Lot 2 together with Lot 1 except the North 98.69 feet of the East 156.0 feet of said Lot 1.

The nearest surface water is the Columbia River, approximately 2.6 miles from the proposed location of the well.

Section 11. PROPERTY OWNERSHIP

- A. Does the applicant own the land on which the water will be used? ☒ YES ☐ NO
If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

- B. Does the applicant own the land on which the water source is located? ☒ YES ☐ NO
If no, submit a copy of agreement:

If no, submit a copy of agreement:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

John A. J. J. J.
Applicant (or authorized representative)

3-30-2005
Date

Landowner for place of use (if same as applicant, write "same")

Date _____

| | |
|---|--|
| We are returning your application for the following reason(s): | |
| <u> </u> Examination fee was not enclosed | APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128 |
| <u> </u> Section number(s) _____ is/are incomplete | APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE |
| Explanation: | |
| <i>Please provide the additional information requested above and return your application by _____ _____ (date).</i> | |

Ecology staff _____ Date _____

Ecology is an Equal Opportunity and Affirmative Action employer.

To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice) or (360) 407-6006 (TDD)